

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BRIAN CARLTON and)	
MARGARET CARLTON,)	
)	
Plaintiffs,)	
)	
v.)	
)	Civil Action No. 22-480
NORWIN SCHOOL DISTRICT,)	
ROBERT WAYMAN, and)	
WESTMORELAND COUNTY)	
REPUBLICAN COMMITTEE,)	
)	
Defendants.)	

ORDER OF COURT

AND NOW, this 21st day of February, 2023, upon consideration of the motions to dismiss Plaintiffs’ Amended Complaint (Docket No. 7) filed by Defendant Robert Wayman (“Wayman”) and Defendant Westmoreland County Republican Committee (“WCRC”), and the briefs filed by the parties in support and in opposition; and for the reasons the Court stated on the record at the oral argument on Defendants’ motions held this day, IT IS HEREBY ORDERED that:

1. Defendant Wayman’s Motion to Dismiss (Docket No. 13) the claims against him in Plaintiffs’ Amended Complaint is **granted** pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief can be granted. The claims in the Amended Complaint against Defendant Wayman in Counts III, IV, V, and VII are **dismissed with prejudice**, and the claims against Defendant Wayman in Counts I, II, and VI are **dismissed without prejudice** to further amendment of the Amended Complaint.

2. Defendant WCRC's Motion to Dismiss (Docket No. 17) the claims against it in Plaintiffs' Amended Complaint is **granted** pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief can be granted. The claim in the Amended Complaint against Defendant WCRC in Count II of Plaintiff's Amended Complaint is **dismissed with prejudice**, and the claim against Defendant WCRC in Count I is **dismissed without prejudice** to further amendment of the Amended Complaint.
3. Plaintiff shall file his Second Amended Complaint by **March 23, 2023**, and Defendants' response thereto is due by **April 24, 2023**.

s/ W. Scott Hardy

W. Scott Hardy
United States District Judge

cc/ecf: All counsel of record